

## Message Text

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14-11

ORIGIN EA-10

INFO OCT-01 ISO-00 IGA-01 L-02 XMB-02 AID-05 SP-02 TRSE-00

OMB-01 COME-00 CIAE-00 INR-07 NSAE-00 /031 R

66620

DRAFTED BY:EA/IMS:ARDORNHEIM:CCH

APPROVED BY:EA/IMS:EDWARD C INGRAHAM

L/C:MR KIATEK

L/EB:MR BOND

EB/IFD/OIA:MR BRODERICK

----- 109024

R 182243Z FEB 75

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

C O N F I D E N T I A L STATE 036494

E.O. 11652: GDS

TAGS: CPRS, BEXM, EINV, ETRD, ID

SUBJECT: P.T. BAUD CASE

REF: STATE 035219

1. THIS IS AFTERTHOUGHT TO REFTEL.
2. GOI MAY NOT FULLY UNDERSTAND LEGAL NICETIES BEHIND USG POSITION OF NEUTRALITY ON MERITS OF SEA OIL AND GENERAL CLAIM AND MAY BE INTERPRETING OUR NEUTRALITY AS CHOSEN COVER FOR REAL USG OPINION THAT CLAIM HAS LITTLE OR NO MERIT. SUCH A GOI INTERPRETATION, IF TRUE, MIGHT BE CONTRIBUTING TO APPARENTLY UNYIELDING GOI POSITION WITH SULLIVAN.

3. IF EMBASSY SHARES THIS LINGERING DOUBT, IT MAY WISH TO PROBE
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GOI ASSUMPTIONS ABOUT USG POSITION AND, AS APPROPRIATE, MAKE CLEAR

TO GOI THAT IT HAS BEEN LONG USG PRACTICE NOT TO JUDGE MERITS OF CLAIMS BY US CITIZENS AGAINST A FOREIGN GOVERNMENT UNTIL CLAIMANT HAS EXHAUSTED ALL LOCAL REMEDIES AS REQUIRED BY INTERNATIONAL LAW AND SUSTAINED A DENIAL OF JUSTICE AS THAT TERM IS DEFINED UNDER INTERNATIONAL LAW. THEREAFTER, IF CLAIM THOUGHT TO BE LEGALLY VALID, USG EXERCISES ITS DISCRETION WHETHER TO ESPOUSE IT AGAINST RESPONDENT GOVERNMENT. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CLAIMS, LITIGATION, POLICIES, PETROLEUM  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 FEB 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE036494  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** EA/IMS:ARDORNHEIM:CCH  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750060-0914, D750058-0712  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750234/aaaabeng.tel  
**Line Count:** 68  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN EA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 035219  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 14 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <14 JUL 2003 by BoyleJA>; APPROVED <14 NOV 2003 by CunninFX>  
**Review Markings:**

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US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** P.T. BAUD CASE  
**TAGS:** CPRS, BEXP, EINV, ETRD, ID, US, P T BAUD, SEA OIL & GENERAL CORP, (SULLIVAN, CHARLES A)  
**To:** JAKARTA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006